

## REMARKS

Applicants acknowledge receipt of an Office Action dated August 8, 2007. In this response, Applicants have cancelled claims 1-18 without prejudice or disclaimer. In addition, Applicants have added claims 19-24. Support for these amendments may be found, *inter alia*, in the specification at page 3, line 34-page 5, line 24. Following entry of these amendments, claims 19-24 are pending in the application.

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

### **Rejection Under 35 U.S.C. § 102**

On page 2 of the Office Action, the PTO has rejected claims 1-18 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent 6,463,998 to Shindo *et al.* (hereafter “Shindo”)<sup>1</sup>. Applicants traverse this rejection for the reason set forth below.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See generally MPEP § 2131.

Here, Shindo fails to disclose “a housing which comprises a plurality of housing segments wherein at least one of the housing segments is an insertion part which comprises at least one functional unit, with at least one means for air conduction, a warm air feed, a cold air feed, and/or with at least one mixer valve, wherein the insertion part can be inserted into a receiving space in the remainder of the housing of the heating and/or air conditioning system” as recited in independent claim 19.

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection under § 102.

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<sup>1</sup> Applicants note that the PTO refers to “Derleth et al ‘082” throughout the text of the rejection. Based upon the figures reproduced by the PTO in the Office Action, Applicants presume that the PTO intended to refer to Shindo in each instance where it referred to “Derleth et al ‘082” in the text of the rejection. If Applicants’ presumption is incorrect, Applicants respectfully request clarification in the next PTO communication.

### CONCLUSION

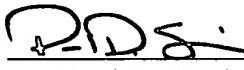
Applicants believe that the present application is now in condition for allowance.  
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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